IN RE: PETITIONS FOR SPECIAL EXCEPTION NE cor. Regester Avenue and

* ZONING COMMISSIONER Loch Hill Road 6601 Loch Hill Road * OF BALTIMORE COUNTY 9th Election District 4th Councilmanic District * CASE # 92-247-X James J. O'Connor, Jr. Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for that property known as 6601 Loch Hill Road.

The Petitioner/property owner, James J. O'Connor, Jr., seeks a determination by the Zoning Commissioner that the use of the property as a dwelling with two (2) apartments is nonconforming and, therefore, lawful. It is to be noted from the onset that the Petition was incorrectly filed as a Petition for Special Exception. After accepting the testimony in this case, it is clear that the Petition was intended to be filed as a Petition for Special Hearing for finding of a nonconforming use as described above. Thus, the Petition is hereby amended to conform with the evidence offered.

The Petitioner, James J. O'Connor, Jr., appeared, testified and was represented by Leonard J. Gutkoska, Esquire. Mr. O'Connor offered documentary evidence in support of his Petition, including the plat to accompany the Petition, received and marked as Petitioner's Exhibit No. 1.

Mr. O'Connor testified that he purchased the property in August of 1979. When negotiating for its purchase, he reviewed a copy of the listing contract which designated the dwelling thereon as a two apartment structure. Since the time of his purchase, the dwelling has continued in this use. Mr. O'Connor testified that he and his brother reside in the downstairs apartment and he has continuously rented the upstairs apartment. He

also described the physical layout of the premises. The first floor contains a living room, dining room, kitchen, bath and two bedrooms. The second floor, which is accessed by an internal vestibule within the kitchen on the first floor, offers a living room, kitchen, bath and two bedrooms. Although, Mr. O'Connor has no independent recollection of the property prior to his purchase, he presented hearsay testimony that certain neighbors surrounding the property have advised that the dwelling has long been used as a two apartment dwelling. Also, he noted his belief that the house was originally constructed in the mid 1940s as a two apartment dwelling and there has been no appreciable alteration in the design and layout of the structure since that time.

Numerous Protestants from the surrounding community of Loch Hill appeared and testified. These included Thomas G. Murphy, a resident of the area since 1979. He specifically objects to the increased traffic and parking which result from the apartment use and the unsightly appearance of the property. In his view, the dwelling is a nuisance to the community. He also testified that, during the occupancy of a Mrs. Barker during the late 1960s and 1970s, the apartment use was discontinued. Mr. Murphy testified that he attended grade school at the time and clearly recalls awaiting for the school bus near this property. Thus, he offered his recollection that the property has not been continuously used as a apartment.

Attorney James F.X. Cosqrove also testified in opposition to the request. Mr. Cosgrove is a title attorney and, although he did not appear in a representative capacity, he does oppose the granting of the variance. He offered the results of his title search which are shown within Protestant's Exhibit No. 2. This research notes that the property appreciated considerably from the time it was sold by Mrs. Barker in 1975 to the time of its sale to the present owner in 1979. In Mr. Cosgrove's view, the inordinate increase in sales price in these intervening 4 years reflects the fact that the property was reconverted to a 2 apartment dwelling.

Other testimony was offered by Protestants, Raymond Heil and John Murphy. Mr. Murphy's testimony is significant in that he also recalls waiting for a school bus near the site during his younger days and believes that Mrs. Barker alone resided therein in approximately 1970.

Zoning came officially to Baltimore County on January 2, 1945, when, pursuant to previous authorization by the General Assembly of Maryland, the County Commissioners adopted a comprehensive set of zoning regulations. These original regulations provided for nonconforming uses. The statute read as follows:

> "A lawful nonconforming use existing on the effective date of the adoption of these regulations may continue, provided, however, upon any change from such nonconforming use to a conforming use, or any attempt to change from such nonconforming use to a different nonconforming use or any discontinuance of such nonconforming use for a period of one year, or in case a nonconforming structure shall be damaged by fire or otherwise to the extent of seventy-five (75%) percent of its value, the right to continue to resume such nonconforming use shall terminate, provided, however, that any such lawful nonconforming use may be extended or enlarged to an extent not more than once again the area of the land used in the original nonconforming use." Section XI, 1945, B.C.Z.R.

Baltimore County adopted a new set of comprehensive zoning regulations on March 30, 1955. The issue of nonconforming uses are dealt with in Section 104 of those regulations. The Section then read:

> "104.1 - A lawful nonconforming use existing on the effective date of the adoption of these requlations may continue; provided that upon any change from such nonconforming use to any other

use whatsoever, or any abandonment or discontinuance of such nonconforming use for a period of one year or more, or in case any nonconforming business or manufacturing structure shall be damaged by fire or other casualty to the extent of seventy-five (75%) percent of its replacement cost at the time of such loss, the right to continue or resume such nonconforming use shall terminate. No nonconforming building or structure and no nonconforming use of a building, structure, or parcel or land shall hereafter be extended more than 25% of the ground floor area of buildings so used."

Section 104.1 was changed to its current language on March 15, 1976 by Bill No. 18-76. The current effective regulation reads as follows:

> "A nonconforming use (as defined in Section 101) may continue except as otherwise specifically provided in these Regulations; provided that upon any change from such nonconforming use to any other use whatsoever, or any abandonment or discontinuance of such nonconforming use for a period of one year or more, or in case any nonconforming business or manufacturing structure shall be damaged by fire or other casualty to the extent of seventy-five (75%) percent of its replacement cost at the time of such loss, the right to continue or resume such nonconforming use shall terminate. No nonconforming building or structure and no nonconforming use of a building. structure, or parcel of land shall hereafter be extended more than 25% of the ground floor area of buildings so used. (B.C.Z.R., 1955; Bill No. 18, 1976)"

Although the Petitioner offered no specific authority, it was alleged by him that the operative date in considering the nonconforming use presented is 1955. Specifically, the Petitioner alleges that the zoning classification in effect prior to that time permitted construction of a 2 apartment dwelling at this location. Thus, he argues that if the use was in effect at that time, it is nonconforming.

Evidence presented in this case is clear that the property was used as a 2 apartment dwelling prior to that date. Specifically, reliance is placed upon Petitioner's Exhibit No. 2, a copy of the transcript of a

proceeding in the Circuit Court of Baltimore County in December of 1950. At that time, evidence was offered in that case regarding the use of the property. Specifically, testimony was given that the dwelling existed as a 2 apartment structure.

Having satisfied this test, the Petitioner must then comply with the balance of the requirement in determining a lawful nonconforming use as found in Section 104.1 of the B.C.Z.R. Specifically, the Petitioner has the burden of adducing testimony that the nonconforming use continued and that there was no abandonment or discontinuance thereof for a period of 1

In reviewing the evidence presented, it is clear that the Petitioner has not satisfied this burden. He presented no creditable and reliable testimony that the property has been used in a nonconforming use continuously since 1950. Although, it is clear that the dwelling was originally constructed as a 2 apartment structure and has been used in that manner since the Petitioner's purchase in 1979, there was no reliable testimony presented regarding the use of the property in the intervening years. Particularly in view of the testimony offered by Mr. John Murphy and Mr. Thomas Murphy, I am satisfied that the use was not continuous during the period of Mrs. Barker's ownership of the property. In that she owned the property from 1952 through 1975, I am persuaded that the Petitioner has not satisfied his burden. Thus, the Petition must be denied.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 30 day of January, 1992 that the Petition for Special Exception for permission to use the herein described property for use as a nonconforming two apartment dwelling, in accordance with Petitioner's Exhibit No. 1, be and is hereby DENIED.

Baltimore County

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

January 29, 1992

Leonard J. Gutkoska, Esquire 204 E. Joppa Road, LL4 Towson, Maryland 21204

RE: Petition for Special Exception Case #92-247-X James J. O'Connor, Jr.

Dear Mr. Gutkoska:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Exception has been denied in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Zoning Commissioner

Petition for Special Exception

to the Zoning Commissioner of Baltimore County

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the
herein described property for non conforming use of lelect bach Itill Rd. as a duelling with two upuntments

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions

of Baltimore County adopted pursuant to the Zoning Law for Baltimore County. I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

	which is the subject of this readon.
Contract Purchaser/Lessee:	Legal Owner(s):
(Type or Print Name)	Tanes J. O'Conno. Jv. (Type or Print Name) (and) (and fri
Signature	Signature
Address	(Type or Print Name)
City and State	Signature
Attorney for Petitioner: Leon and J. Gitkoska. (Type or Print Name) Signature 204 E. Jopps. Rd. # LLY Address Turson M. 21204	Address Phone No. Buthare, Mcl. City and State Name, address and phone number of legal owner, or tract purchaser or representative to be contacted
City and Class	Name

ESTIMATED LENGTH OF HEARING -1/2HR. AVAILABLE FOR HEARING

ZONING DESCRIPTION 6601 Loch Hill Road

Beginning at a point on the east side of Loch Hill Road which is 50' wide at the north east corner of the nearest improved intersecting street, Regester Avenue which is 50' wide. Being Lot #1, in the subdivision of Loch Hill as recorded in Baltimore County Plat Book #13, Folio #74, containing 6650 square feet, more or less. Also known as 6601 Loch Hill Road and located in the 9th Election District and 4th Council District.

12/10/91

111 West Chesapeake Avenue

Towson, MD 21204

260

(410) 887-3353

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

NOTICE OF HEARING

The Zoning Commissioner or Baltimore County, by authority of the Zoning Lct and Regulations of Baltimore County will hold a public hearing on the property identified merein in Room 118, Baltimore County Courthouse, 400 Washington Evenue, Towson, Haryland 21204 as follows:

CASE NUMBER: 92-247-X ME Corner Regester Avenue and Loch Hill Road 6601 Loch Hill Road 9th Election District - 4th Councilmenic Petitioner(s): James J. O'Connor, Jr. HEARING: WEDNESDAY, JANUARY 22, 1992 at 11:00 a.m.

Exception to approve the nonconforming use of 6601 Loch Hill Road as a dwelling with two

James J. O'Connor, Jr.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY 91- 7217-Town, Maryland

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CERTIFICATE OF PUBLICATION

NOTICE OF HEARING The Zoring Commissioner of Beltimore County, by authority of the Zoring Act and Regulations of Beltimore County will hold a public hearing on the property identified herein in Room 118, Beltimore County Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows: Case Number: 92-247-X NE Corner Regester Avenue and Loch Hill Road 6601 Loch Hill Road 9th Election District 4th Councilmanic Putitioner(s): James J. O'Connor, Jr. Hearing Date: Wednesday Jan. 22, 1992 at 11:00 a.m. Special Exception: to approve the nonconforming use of 6601 Loch Hill Road as a dwelling with two apartments. LAWRENCE E. SCHMIDT, Zoning Commissioner of Beltimore County T/J/1/017 January 2.

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TOWSON, MD., _ THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of ____ successive weeks, the first publication appearing on 1/6, 191/6

THE JEFFERSONIAN.

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

111 West Chesapeake Avenue Towson, MD 21204

887-3353

January 3, 1991

Mr. and Mrs. James J. O'Connor, Jr. 6601 Loch Hill Road Baltimore, Maryland 21239

RE: Case No. C-91-1051 6601 Loch Hill Road 9th Election District

Dear Mr. and Mrs. O'Connor:

A complaint has been filed with this office in reference to an illegal conversion (three apartments) at the above location. Our records indicate that the property lot size is 6,084 square feet. This lot size is not sufficient for two apartments not to mention three, per Section 402.2 of the Baltimore County Zoning Regulations (copy enclosed). Therefore, the only recourse for you, as property owner, would be to bring this property into compliance by converting it back into a single family dwelling or file for a special hearing to show that this dwelling was converted into three apartments prior to 1945.

Failure to comply by February 14, 1991 will result in the issuance of a citation, wherein, you are subject to a civil penalty of \$200.00 per day, per violation and each day shall be considered a separate violation.

If you have any questions, please contact me at 887-8092.

Sincerely, Zoning Inspector

Enclosure

MUTICE OF HEARING The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 118. Baltimore County Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows: Case Number: 92-247-X NE Corner Regester Avenue and Loch Hill Road 6601 Loch Hill Road 9th Election District 4th Councilmanic Petitioner(s):
James J. O'Connor, Jr.
Hearing Date: Wedneeday
Jan. 22, 1992 at 11:00 a.m. Special Exception: to ap-prove the nonconforming use of 6601 Loch Hill Road as a dwelling with two apartments. LAWRENCE E. SCHMIDT. Zoning Commissioner of Baltimore County

T/J/1/017 January 2.

CERTIFICATE OF PUBLICATION

TOWSON, MD., THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of ___ weeks, the first publication appearing on 1/2, 1977

Baltimore Count Zoning Commisioner County Office Building

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Baltimore County

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ion 91-317 1771-91 SP/T STATE OF MARYLAND

James J. and Mildred O. O. Connor .. rnold Jablon - Zoning Commissioner.

	Plaintiff	Defendant
	TRIAL OR HEAD	RING NOTICE
O :	James J and Mildred O O'Connor 6601 Loch Hill Rd Balto MD 21239	
] Not	ice of intent to defend has been filed by	in the phase case. The trial is
et for	Oct 30, 1991 1:30 PM	You must be prepared for trial on this date.
The	trial date in the above case has been changed to) at at
'A11 21	re hereby summoned to appear at the above locati	on.
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	ntinuation of oral examination to be held on	at
	se has been continued to an indefinite date. You v	
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Copic	s mailed to:
(1)	Kevin Connor, Zoning Inspector 111 V Cheseneake "Ve Towson MD 212CL
(2)	Thomas Farley Esq
(3)	Keni Matsumoto Ober, Kaler, Grimes & Schriber 120 E Beltimore St

Balto MD 21202

DC 7 (Rev. 7/84) (This form replaces DC 261.)	SEP 1 6 1991

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

DATE: /-/7.92

James J. 9'Connor, Jr. 6601 Loch Hill Road Baltimore, Maryland 21239

Pear Petitioner(s):

CASE NUMBER: 92-247-X ME Corner_Regester Avenue and Loch Hill Road 6601 Loch Hill Read 9th Election District - 4th Councilmanic Petitioner(s): James J. O'Connor, Jr.

Please be advised that $\frac{103.67}{1}$ is due for advertising and posting of the above captioned

THIS FEE MUST BE PAID. ALSO, THE ZORING SIGN & POST SET(S) MOST BE RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL. THE DAY OF THE

Please forward your check via return smail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland 21204. It should have your case number noted thereon and be usde payable to Baltimore County, Maryland. In order to prevent delay of the issuance of proper credit and/or your Order, immediate attention to this matter is suggested.

cc: Leonard Gutkoska, Esq.

THIS DEED, Made this 17 day of August year One Thousand Nine Hundred and Seventy-Nine, by and between JOHN T. LONG, III and MARY S. LONG, his wife, of Baltimore County, State of Maryland, parties of the first part, and JAMES J. O'CONNOR JR., and

parties of the second part.

WITNESSETH, That for and in consideration of the sum of \$ 75,000.00 , and other good and valuable considerations, this day paid, the receipt whereof is hereby acknowledged, the said JOHN T. LONG, III and MARY S. LONG, his wife, do hereby grant and convey unto the said parties of the second part, as tenants by the entireties, their assigns, and unto the survivor of them, his or her heirs, personal representatives and

in fee simple, all that let or parcel of ground situate, lying and

being in Baltimore County, State of Maryland, and described as follows, BEING known and designated as Lot No. 1, as shown on a Plat entitled, "Loch Hill", which Plat is recorded among the Land Records of Baltimore County in Plat Book C.H.K. No. 13 folio 74. The improve-

ments thereon are now known as 6601 Loch Hill Road. DEING all and the same lot or parcel of ground which by Deed dated April 4, 1975, and recorded among the Land Records of Baltimore County in Liber E.H.K.Jr. No. 5519 folio 613, was granted and conveyed by Ethie M. Barker to John T. Long, III and Mary S. Long, his wife, the

TOGETHER WITH the buildings and improvements thereupon erected, made or being; and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or anywise appertaining. TO HAVE AND TO HOLD said lot of ground and premises above

described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining, unto and to the proper use and benefit of the said parties of the second part, as tenants by the entireties, their assigns, and unto the survivor of them, his or her heirs, personal representatives and assigns.

in fee simple.

AND THE SAID parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever to encumber the property hereby conveyed; that they will warrant specially the property granted; and that they will execute such further assurances of the same as may be requisite.

51.05cor.

P.O. Box 66233 Baltimore, Maryland 21239

March 2, 1992

Lawrence E. Schmidt Baltimore County Government Zoning Commissioner Office of Planning and Zoning 111 West Chesapeake Avenue Towson, Maryland 21204

re: Case \neq 92-247-X/ Special Exception James J. O'Connor Jr. Gentlemen,

On behalf of the Loch Hill Community Association, we hereby request an update on whether Mr. O'Connor or his attorney has requested an appeal in regards to case = 92-247-X.

It is of vital importance that we be informed in a timely manner so that additional evidence and testimony may be compiled to refute any grounds upon which Mr. O'Connor or his agents may appeal.

We request a response in writing as soon as possible. It is our understanding that Mr. O'Connor's right to appeal expires as of March 2, 1992. Please advise.

> Many 1 Gerry Murphy L.H.C.A. President

cc: Kevin Connor

NO APPEAL WAS FILED: TIME TO DO SO HAS EXPIRE

To Whom it may Concern

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DATE 1417 Regester Ave 1/9/92 1141 × nous jough Fith 1503 Feggrer Au

at 6601 Loch Hill Road.

PETITIONER(S) SIGN-IN SHEET PLEASE PRINT CLEARLY JAMES J. O'CONNOR FR. 6601 LOCK HILL RO.

BALTIMORE, MO. 21239 Towson Ild. 21204 6603 Lock Hell Rd Leonard J. Gilluska Carkerine I sterson Baltimere, Md. 21239

PROTESTANT (S)	SIGN-IN SHEET
NAME	ADDRESS
JAMES FX COSTROVE	6640 LOCHHILL RD BALT Md. 21239
James 7X Congrove	
Thomas G. Murphy	1417 Regester Ave Cotto Md 21239
Long J. Mush	
RATHUND LITELL	6605 LECA MILL RD BREA. MO 21239
Paymond & kteil	
STEVEN D. CLINE	6602 LOCH HILL RD BALT, MD 21239
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John C Murch	6612 boch HIL Pd Z1239

Plat to accompany Petition for Zoning Variance	Special Hearing
PROPERTY ADDRESS: 6601 LOCI HILL RD Subdivision name: LOCI HILL plat book# 13 , folio# 74, lot# L , section# — 92.241 OWNER: JAMES AMILURIU O'CUMUR 92.11	GLENDAL BYTH BYTH BYTH BYTH BYTH BYTH BYTH BYTH
DURNS SOLL	ANS PLEWDOOL STATE OF STATE OF SCRIE: 1'=2000'
TI WISE SON	LOCATION INFORMATION Councilmanic District: Election District: 1'=200' scale map#: NE 8B Zoning: UL-5.5 Lot size: 6072
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The above extitled case referred to me for testionary, I, Makard &.
McAllister, one of the standing Emmalaers of this Court, duly appointed and
qualifies, not in my office, Sectord Sailding, Toucon, Baltimore County,
Maryland, December 4, 1950 et 3:00 e'clock P.H., des notice of the ties end
place having been given to Steam Plerson, Sec., Selicitor for the Complainant
and Heary C. Stair, Sr., Eng., Salicitor for the Respondent, and in the presence
of Situard Pierson, Buq., Solicitor for the Complainant and Henry D. Madr, Br.,
Enq., Solicitor for the Responsest, proceeded to take the following
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Petition against any zoning variance or special exception for the O'Connor property located

I am a resident of the Loch Hill community and I oppose any efforts to change the present

zoning of the O'Connor property located at 6601 Loch Hill Road. The use of this property

6633 Loch Hill Rd.

as an apartment dwelling would be out of character with the neighborhood.



CENTRAL MARYLAND

MULTIPLE LISTING SERVICE, INC.

1501 MOUNT ROYAL AVENUE/BALTIMORE, MARYLAND 21217
(301)462-5100

Your property has been multiple listed as shown above. All members of the service have been sent a copy of this information. All communications regarding your contract should be with your Realtor. Please be sure to read "How to make your house more saleable" enclosed herewith.

Merrill Lynch Relocation Service 8320 Old Court House Road Vienna, VA 22180 Attn: Terry Kaufman, Relocation Cooridnator

On behalf of the Loch Hill Community Association, we formally express our opposition to any variance or special exception to be granted to the O'Connor property at 6601 Loch Hill Road. Our community is comprised of 144 family dwellings of which 143 are single family dwellings. The exception being the O'Connor property. An apartment dwelling is out of character with our neighborhood and against Baltimore County zoning regulations. Litigation is currently pending against Mr. O'Connor for violation of zoning regulations. This property is located at the eastern entrance to our community and its current illegal use as an apartment dwelling has the potential to decrease property values. The fact that the owner does not live at this property increases the chances of property degeneration. The presence of transient renters causes further concern. We have witnessed on numerous occasions, garbage being placed out for pickup in plastic bags several days before or after scheduled pickup. We conclude that this is either of ignorance or lack of concern by the tenants. This trash is subject to infiltration by raccoons, rodents, or stray dogs.

The increased number of vehicles parked at this dwelling causes problems with parking in this area and blocks sight lines for traffic on Loch Hill Road and Regester Avenue. This raises our concern for public safety. At present, this property is unkempt and unsightly, which is a nuisance as well.

There is no demand or need for rental properties in this area. Within two blocks across Loch Raven Boulevard exists the Hillendale Gate and the Tall Oaks apartment complexes. Loch Raven Boulevard serves as a line of demarcation which we feel should not be crossed and opened for further apartment dwelling use.

We expect the zoning laws to be enforced by Baltimore County for the good of the Loch Hill Community and not to be altered or waived for the special interest of one individual who has no vested interest in the common good of the Loch Hill Community.

We hereby present a petition with signatures from residents of the Loch Hill Community expressing their opposition to Mr. O'Connor's request. In addition, we present for your review a copy of correspondence from Kevin Connor, a zoning inspector for Baltimore County, and a copy of the trial notification pending against Mr. O'Connor. Please review these photos of the property in question as well.

Thank you for your consideration in these matters and we respectfully request that you rule against Mr. O'Connor's request and in favor of the overwhelming sentiment of the Loch Hill Community.

FRMILT

DEN

22:115 CROSS SECTION TO SQUARES TO INCH



TITLE/ASSESSMENT SUMMARY OF

6601 LOCH HILL ROAD BALTIMORE COUNTY, MARYLAND

TAX ID NO. 09-02-002200

From a review of the land records of Baltimore County, it appears that the house at 6601 Loch Hill Road was constructed in 1945/46 and was first conveyed on 3/21/46 by virtue of a deed recorded in Liber RJS No. 1435, folio 506, from George Blome, et al, to John H. & Alie M. Ingle. Subsequent conveyances of the subject property were as follows:

6/27/47 by a deed recorded in Liber JWB No. 1579, folio 91 John H. & Rosalie Ingle

Sadie B. Stewart, unmarried

8/12/52 by a deed recorded in Liber GLB No. 2155, folio 382

Wylie Ritchey, et al, Trustees Consideration: \$23,400

Albert E. & Ethie M. Barker

4/4/75 by a deed recorded in Liber EHK, Jr. No. 5519, folio 613

Ethie M. Barker, Widow Consideration: \$46,000

John T. & Mary S. Long 8/17/79 by a deed recorded in Liber EHK, Jr. No. 6067, folio 658

John T. & Mary S. Long

Consideration: \$75,000 James J. & Mildred O. O'Connor

According to the assessment records of the State Department of Assessments and Taxation this property has always been assessed and taxed as a single family dwelling. In 1972, the then owner of the subject property appealed the assessment and met with the assessor; there is nothing in the assessment records to indicate that the owner or the assessor ever discussed the existence and/or use of more than one dwelling unit in the subject property. Per the assessment records, the lot size is 6084 square feet.

Other properties in the immediate vicinity of the subject property were transferred between 1977 and 1982, but none sold for more than \$72,300, to wit:

6602 Loch Hill was conveyed 6/82 for \$72,300 (see deed in Liber No. 6610, folio 772) 6603 Loch Hill was conveyed 7/80 for \$67,500 (see deed in Liber No. 6182, folio 139) 6607 Loch Hill was conveyed 7/80 for \$53,000 (see deed in Liber No. 6181, folio 246) 6609 Loch Hill was conveyed 11/77 for \$53,000 (see deed in Liber No. 5834, folio 83) 6610 Loch Hill was conveved 5/77 for \$50,000 (see deed in Liber No. 5747, folio 770)

THE SENTINEL TITLE CORPURATION

JAMES F. X. COSGROVE, ESQ. Vice President

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